

# OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

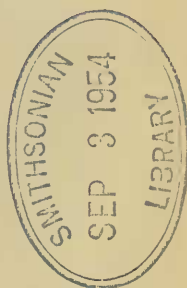
*Edited by*

**FRANCIS HEMMING, C.M.G., C.B.E.**  
Secretary to the Commission

**VOLUME 5. Part 23. Pp. 297—328**

## **OPINION 262**

Determination of the specific name of the Sand Crab  
(*Opinion* in replacement of *Opinion* 13)



**LONDON :**

Printed by Order of the International Trust for  
Zoological Nomenclature  
and

Sold on behalf of the International Commission on Zoological  
Nomenclature by the International Trust at its Publications Office  
41, Queen's Gate, London, S.W.7  
1954

**Price Twelve Shillings**

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# INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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## OPINION 262

### DETERMINATION OF THE SPECIFIC NAME OF THE SAND CRAB ("OPINION" IN REPLACEMENT OF "OPINION" 13)

**RULING :—**(1) The Ruling in regard to the Specific Name of the Sand Crab (Class Crustacea, Order Decapoda) given conditionally in *Opinion* 13 was incomplete and, in part, incorrect; accordingly that *Opinion* is hereby cancelled and the Ruling given in it is hereby replaced by that set out in (2) to (5) below.

(2) Contrary to the statement made in *Opinion* 13, the specific name *arenarius* Catesby in Edwards, 1771, as published in the combination *Cancer arenarius*, would not have been the oldest available name for the Sand Crab, even if the names in Catesby's pre-1758 work *The Natural History of Carolina*, as republished in 1771 by George Edwards had not been rejected for nomenclatorial purposes (by *Opinion* 259, re-enacting the relevant portion of *Opinion* 13), for the above name would have been invalid as a junior homonym of the same specific name *arenarius* Toreen, 1765, as published in the combination *Cancer arenarius*, a name applied to an entirely different species found at Queda in the Straits of Malacca, an area far removed from that in which the Sand Crab occurs.

(3) The oldest name for the Sand Crab duly published in accordance with the provisions of Article 25 is the name *quadratus* Fabricius, 1781, as published in the combination *Cancer quadratus*.

(4) The foregoing binomen had been published twice prior to its publication by Fabricius in 1781 : first, by Meuschen in 1778 in the *Museum Gronovianum*, second, also by Meuschen, in 1781 in the Index to the work by Gronovius published in the period 1763—1781 under the title *Zoophylacium Gronovianum*, but both these works have been rejected as not being available for nomenclatorial purposes, the *Museum Gronovianum* in *Opinion* 260, the Index to the *Zoophylacium Gronovianum* in *Opinion* 261.

(5) In view of (4) above, the specific name *quadratus* Fabricius, 1781, as published in the combination *Cancer quadratus*, is the oldest available name for the Sand Crab, and is accordingly hereby placed on the *Official List of Specific Names in Zoology* as Name No. 76.

(6) The under-mentioned specific names are hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* as Names Nos. 18 to 20 respectively : (a) *arenarius* Edwards, 1771, as published in the combination *Cancer arenarius* (published in a work rejected for nomenclatorial purposes under *Opinion* 259) ; (b) *quadratus* Meuschen, 1778, as published in the combination *Cancer quadratus* (published in a work rejected for nomenclatorial purposes under *Opinion* 260) ; (c) *quadratus* Meuschen, 1781, as published in the combination *Cancer quadratus* (published in a work rejected for nomenclatorial purposes under *Opinion* 261).

## I.—THE STATEMENT OF THE CASE

The problems relating to the specific name of the Sand Crab (Class Crustacea, Order Decapoda) dealt with in the present



*Opinion* came to light in the course of an examination, by Mr. Francis Hemming, Secretary to the International Commission, of the Commission's *Opinion* 13 ("The Specific Name of the Sand Crab") (1910, *Smithson. Publ.* 1938 : 22—24) carried out in 1944 in connection with the re-issue of that *Opinion* then in preparation. Mr. Hemming submitted his conclusions and recommendations on this case in the form of four Notes which were annexed to the re-issue of *Opinion* 13. These notes which were numbered 5, 6, 7, and 8, bore the following titles : (i) "On the limited and, in part, conditional character of the decision given by the International Commission on Zoological Nomenclature in *Opinion* 13" (title of Note 5) ; (ii) "On the earliest use of the binominal combination *Cancer arenarius* as a specific name for a species belonging to the Class Crustacea" (title of Note 6) ; (iii) "On the nomenclatorial status of scientific names first appearing in print in Meuschen (F.C.), 1778, *Museum Gronovianum*" (title of Note 7) ; (iv) "On certain errors in the conclusions embodied in *Opinion* 13, consequent upon the conditional acceptance for the purposes thereof of the premises submitted by the petitioner now found to be erroneous and incomplete" (title of Note 8). Up to this point this question had been dealt with on the Commission's Registered File Z.N.(G.) 24 (re-issue of *Opinions*) but at this stage it was judged desirable to open a separate File for the present case which was thereupon given the Registered Number Z.N.(S.) 271. Of the four Notes referred to above, the third (Note 7), which was concerned with the status of Meuschen's work *Museum Gronovianum* of 1778, has been reproduced *in extenso* in *Opinion* 260<sup>1</sup> ; the three remaining Notes, each of which bears the date 29th April 1945, were as follows :—

#### Note 5

On the limited and, in part, conditional character of the decision  
given by the International Commission on Zoological Nomenclature  
in "Opinion" 13

By FRANCIS HEMMING

(Secretary to the International Commission on Zoological Nomenclature)

*Opinion* 13 is only the second of the *Opinions* in which the International Commission on Zoological Nomenclature gave a decision in

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<sup>1</sup> See pp. 268—274 of the present volume.

regard to the status of a particular name. This *Opinion* differs from *Opinion* 12, the only previous *Opinion* dealing with a particular name, by reason of the fact that, unlike the question discussed in *Opinion* 12 (where only one issue was involved and only one of two answers could have been given), the problem dealt with in *Opinion* 13 is a complex of independent questions. Accordingly with the limited resources then at its disposal, the International Commission decided to deal expressly in *Opinion* 13 only with the one problem which had been specifically submitted to it for decision, namely: "Is the name *Cancer arenarius* Catesby, 1771, *Natural History of Carolina* (Edwards' edition), a nomenclatorially available name?" After giving a definite answer to this question, the Commission did, however, add certain observations regarding the correct scientific name of the Sand Crab. These observations, the Commission expressly stated, were not based upon a first-hand examination of the facts of the case but were merely conclusions drawn from the premises submitted by the petitioner in this case. These observations by the Commission represent, therefore, no more than hypothetical conclusions, the validity of which rests entirely upon the accuracy of the premises which were submitted by the petitioner but which were not verified by the Commission. The conclusions embodied in this part of *Opinion* 13 are, therefore, purely conditional in character.

2. It must be noted, therefore, that in *Opinion* 13 the International Commission on Zoological Nomenclature did no more, as regards the name of the Sand Crab, than:—

- (i) decide that the name *Cancer arenarius* as published in 1771 in Edwards' edition of Catesby's *Natural History of Carolina* is not a nomenclatorially available name;
- (ii) take note that, according to the premises submitted by the petitioner, the next name for the Sand Crab was *Cancer quadratus*, Fabricius, 1793 ;\*
- (iii) take note that, according to the premises submitted by the petitioner, the name *Cancer quadratus* Fabricius, 1793,\* was not available nomenclatorially, owing to the fact that the name *Cancer quadratus* had previously been published by some other author as the specific name of some other species ;
- (iv) take note that, according to the premises submitted by the petitioner, the next published scientific name for the Sand Crab after *Cancer quadratus* Fabricius, 1793,\* was *Ocypoda albicans* Bosc, 1802 ;†

- (v) draw the conclusion that, if the premises submitted by the petitioner as set out in (ii), (iii) and (iv) above were correct, the oldest available scientific name for the Sand Crab would be *Ocypoda albicans* Bosc, 1802.†

### Note 6

**On the earliest use of the binominal combination “*Cancer arenarius*” as the specific name of a species belonging to the Class Crustacea**

The object of the petition dealt with in *Opinion* 13 was to obtain from the International Commission on Zoological Nomenclature a ruling on the correct specific name of the Sand Crab. The problem in regard to the question on which the petitioner was in doubt (and on which a specific ruling was therefore asked for) was whether the name *Cancer arenarius* applied to this species by Mark Catesby in his *Natural History of Carolina* in 1743 (i.e. prior to the starting-point of zoological nomenclature and the coming into operation of the Law of Priority) acquired any rights under the Law of Priority when republished by George Edwards in 1771 in his edition of Catesby's work.

2. This method of approach to the problem led to an important decision by the International Commission in regard to the status of names originally published by Catesby in 1743, when those names were republished by Edwards in 1771.

3. As a contribution to the problem of the correct name of the Sand Crab, the problem so submitted to, and answered by, the International Commission in *Opinion* 13 is wholly irrelevant, since even if the names originally published by Catesby in 1743 had acquired rights under the Law of Priority on being republished by Edwards in 1771, the name *Cancer arenarius* Edwards in Catesby, 1771, would nevertheless have been invalid since it would have been a homonym of the prior name *Cancer arenarius* Toreen, 1765, in Osbeck (P.), *Reise Ost-Ind. China* : 469.

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\* The name *Cancer quadratus* was first published by Fabricius in 1787 (in vol. 1 of the *Mantissa Ins.*) and not in 1793 (the date assigned to this name in the petition in *Opinion* 13).

† The correct date for the name *Ocypoda albicans* Bosc is [1801—1802] and not 1802 (the date assigned to this name in *Opinion* 13).

4. Reference to Osbeck's *Reise* shows that the matter printed on pp. 431—514 was not written by Osbeck but consists of an appendix containing the text of letters written by Olof Toreen to Linnaeus. The full title of this Appendix is: "Eine ostindische Reise nach Suratte, China, etc. von 1750 den 1 April 1752 den 26 Jun. verrichtet von Olof Toreen Schiffsprediger der ostindischen Compagnie. In Briefen an den Herrn Archiater von Linné". Toreen, as these letters show, was a strictly binominal author. This is as might be expected in view of the fact that his letters were actually addressed to Linnaeus.

5. The following is the passage on page 479 in which Toreen introduced the name *Cancer arenarius* :—

In dem Meere giebt es, ausser mancherley Fischen, auch verschiedene Krabbenarten. Wenn eine derselben, welche ihre Augen auf langen Stiften trug und besondere Füsse hatte (*Cancer arenarius*), indem sie Ihnen von dem Herrn Commerciénrathe Lagerström übersendet worden, Schaden genommen hätte, würde ich es bedauern. In ihren Leben funkelten ihre Augen trotz einem Katzenauge.

6. The heading of the page on which the above passage is printed is "Queda, 1751". On a previous page the locality so indicated is given more fully as "Queda in der Strasse von Malacca".

7. The locality cited by Toreen as the place where he obtained the specimens of the species to which he applied the name *Cancer arenarius* is important as proving conclusively (quite apart from the evidence supplied by the brief description) that the species *Cancer arenarius* Toreen is not the Sand Crab, since that species "is restricted in its range to the Atlantic shores of the American Continent (from Rhode Island to Santa Catharina, Brazil)" (Dr. I. Gordon, Assistant Keeper, Department of Zoology, British Museum (Natural History) *in litt.*, dated 15th March 1945).

8. The question whether the descriptive matter given by Toreen in respect of the species *Cancer arenarius* Toreen is sufficient to permit of the identification of that species is a systematic and not a nomenclatorial problem. From the nomenclatorial point of view, it is a matter of complete indifference whether the species *Cancer arenarius* Toreen can be identified or not. In the latter case the name *Cancer arenarius* Toreen, 1765, becomes a *nomen dubium*, but in either case the name *Cancer arenarius* Toreen possesses rights under the Law of Priority as from 1765, the date on which it was published. Accordingly, any binominal combination consisting of the words "*Cancer arenarius*" published after 1765 as the name of any other species is automatically invalid, by reason of being a junior homonym, under Article 35 of the *Règles Internationales*.

## Note 8

On certain errors in the conclusions embodied in "Opinion" 13, consequent upon the conditional acceptance for the purposes thereof of the premises submitted by the petitioner now found to be erroneous and incomplete

By FRANCIS HEMMING

(Secretary to the International Commission on Zoological Nomenclature)

As has been shown in Note 5 above,\* the conclusion that the name *Ocypoda albicans* Bosc, [1801—1802], is the oldest available name for the Sand Crab, which was conditionally accepted in the latter part of the "summary" of (*i.e.* the decision in) *Opinion* 13 was based upon :—

- (1) the decision then taken by the International Commission that the name *Cancer arenarius*† as published in 1771 by Edwards in his edition of Catesby's *Natural History of Carolina* is not a nomenclatorially available name ;
- (2) the unverified assumption that each of the following propositions contained in the petitioner's "statement of the case" was correct and in accordance with the facts in all respects :—
  - (a) that the next name bestowed upon the Sand Crab after the publication in 1771 of the name *Cancer arenarius* by Edwards in Catesby was *Cancer quadratus* Fabricius, 1793 ;‡
  - (b) that the name *Cancer quadratus* Fabricius, 1793, was not available for the Sand Crab, because that binominal combination had previously been published by some other (unspecified) author for some other species ;
  - (c) that, if both the name *Cancer arenarius* Edwards, 1771, and the name *Cancer quadratus* Fabricius, 1793, were unavailable nomenclatorially, the first available name bestowed upon the Sand Crab was *Ocypoda albicans* Bosc, 1802.§

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\* See pp. 301—303 above.

† The component of the specific name *Cancer arenarius* consisting of the generic name *Cancer* was omitted from the summary when *Opinion* 13 was first published.

‡ The component of the specific name *Cancer quadratus* consisting of the generic name *Cancer* was omitted from the summary when *Opinion* 13 was first published. The correct date of this name is 1787.

§ The component of the specific name *Ocypoda albicans* consisting of the generic name *Ocypoda* was omitted from the summary when *Opinion* 13 was first published. The correct date of this name is [1801—1802].



2. The preliminary decision referred to in paragraph 1(1) above is important, since it provides an authoritative guide to the nomenclatorial status of names first published in 1771 in Edwards' edition of Catesby's *Natural History of Carolina*, but this decision is irrelevant to the problem of the name of the Sand Crab, since, even if the names first published by Edwards in Catesby, 1771, were available nomenclatorially, the name *Cancer arenarius* Edwards, 1771 (the only one of those names which is involved in the problem of the name of the Sand Crab) would nevertheless be unavailable for the Sand Crab, for (as shown in Note 6 above\*) the name *Cancer arenarius* Edwards, 1771, would have been a homonym of the name *Cancer arenarius* Toreen, 1765, previously given to an entirely different species.

3. Proposition (a) (enumerated in paragraph 1(2) above) is correct, except that it was in 1787 in volume I of the *Mantissa Insectorum* and not in 1793 in the *Entomologia systematica* that Fabricius first published the name *Cancer quadratus* as the specific name for the Sand Crab.

4. Proposition (b) (enumerated in paragraph 1(2) above) is incorrect, since (as shown in Note 7†) *Cancer quadrata* Meuschen, 1778, the only known name consisting of this binominal combination which is of older date than *Cancer quadratus* Fabricius, 1787, is a name which possesses no rights under the Law of Priority and cannot, therefore, pre-occupy (and invalidate) the name *Cancer quadratus* Fabricius, 1787, as the name of the Sand Crab. The name given by Fabricius to the Sand Crab is, therefore, the oldest available name for that species.

5. Proposition (c) (enumerated in paragraph 1(2) above) remains true, but, in view of the fact that, contrary to the statement in proposition (b), the name *Cancer quadratus* Fabricius, 1787, is the oldest available name for the Sand Crab, proposition (c) is now seen to be completely irrelevant to the consideration of the name of that species.

6. In the light of the evidence summarised above, the position as regards the conclusions embodied in *Opinion* 13 is seen to be as follows :—

(1) The first sentence in the "summary" ("Catesby's (1743) pre-Linnean name *Cancer arenarius* is not available under the Code, although 'reprinted' in 1771 ;") contains an important ruling by the International Commission on the nomenclatorial status of the edition of Catesby, 1743, *Natural History of Carolina*, published by Edwards

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\* See pp. 303—304 above.

† See *Opinion* 260 (pp. 265—280).



in 1771. This decision has no bearing, however, upon the question of the correct scientific name of the Sand Crab, since even if the Edwards edition of Catesby was a nomenclatorially available work, the name *Cancer arenarius* Edwards, 1771, would not be available as the name of the Sand Crab, since it would be a homonym of the older name *Cancer arenarius* Toreen, 1765 (see paragraph 2).

(2) The second sentence in the "summary" ("*Cancer quadratus* Fabricius, 1793,\* is stated to be pre-occupied ;") is based upon a statement in the premises submitted by the petitioner, which is now seen to be incorrect (see paragraphs 3 and 4).

(3) The third sentence in the "summary" ("*Ocypoda albicans* Bosc, 1802,† being the next specific name in the list, becomes valid, under the premises submitted.") remains true as a deduction from the premises submitted by the petitioner, but, in view of the fact that (as shown in (2) above) these premises were fallacious, the statement in the third sentence of the "summary" is now seen to be completely misleading as a guide to the nomenclature of the Sand Crab. The name *Ocypoda albicans* Bosc [1801—1802], is not the oldest available name for the Sand Crab ; it is only a junior subjective synonym of the available name *Cancer quadratus* Fabricius, 1787 (see paragraphs 4 and 5).

7. In view of the fact that the statements in the second and third sentences of the "summary" of *Opinion* 13 are completely misleading, based upon incorrect premises submitted by the petitioner, it is clearly impossible for the International Commission to leave matters where they now stand. The question dealt with in *Opinion* 13 is, therefore, at once being submitted to the International Commission for further consideration.

8. The decision by the Commission in *Opinion* 13 regarding the nomenclatorial status of the edition of Catesby's *Natural History of Carolina* has been shown (paragraphs 2 and 6(1) above) to be completely irrelevant to the problem of the name of the Sand Crab. It can, therefore, logically find no place in the revised *Opinion* regarding the name of the Sand Crab. It represents, however, a decision by the International Commission on an important question of principle and clearly should be retained on permanent record in some suitable form. In this connection, it should be recalled that at its Session held at

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\* The date of this name is 1787 not 1793, the date cited in the "summary" of *Opinion* 13 when originally published.

† This name was published in "An X" and should therefore be dated 1801—1802 and cited in square brackets. The date was incorrectly given as 1802 in the "summary" of *Opinion* 13 when originally published.

Lisbon in 1935 the International Commission on Zoological Nomenclature unanimously agreed that, "when the Commission reached a decision of interest to the general body of zoologists, it was of the greatest importance that that decision should be presented in such a way as to ensure that it was most readily available to all concerned" (Lisbon Session, 4th Meeting, Conclusion 15).<sup>\*</sup> It is accordingly proposed that in the action now to be taken by the International Commission the problem of the status of the Edwards edition of Catesby's *Natural History of Carolina* and the problem of the name of the Sand Crab should be dealt with in different *Opinions*. In order to deal with the question of the name of the Sand Crab, it will be necessary for the International Commission formally to deal with the status of Meuschen's *Museum Gronovianum* of 1778 discussed in NOTE 7 above. As this, like the status of Catesby's names when republished by Edwards in 1771, raises a question of general interest and is not concerned only with the name of the Sand Crab, it is proposed that in accordance with the decision taken by the Commission at Lisbon as to the procedure to be followed in such cases, a separate *Opinion* should be rendered by the Commission in regard to the status of Meuschen's *Museum Gronovianum* of 1778.

9. The action now proposed is, therefore, that the International Commission should :—

(1) cancel *Opinion* 13 ;

(2) render an *Opinion* confirming as follows the question of principle dealt with in the first sentence of *Opinion* 13<sup>2</sup> ;

"The names published by Mark Catesby in 1743 in his *Natural History of Carolina* possess no status under the Law of Priority as from that date, since it is prior to 1758, the starting point of zoological nomenclature and the Law of Priority (Article 25 of the *Règles Internationales*) ; nor do those names acquire any rights under the Law of Priority as from 1771, the date on which they were republished by George Edwards in his edition of Catesby's *Natural History of Carolina*, since Catesby's names were not then 're-inforced by adoption or acceptance' by Edwards and in consequence do not qualify for availability under the provisions of *Opinion* 5."

(3) render an *Opinion* as follows on the nomenclatorial status of Meuschen, 1778, *Museum Gronovianum*<sup>3</sup> :—

"The *Museum Gronovianum* by Friedrich Christian Meuschen issued in 1778 is a sale catalogue of the zoological, botanical and mineral collections formed

<sup>\*</sup> See 1943, *Bull. zool. Nomencl.* 1 : 40.

<sup>2</sup> For the decision taken on this proposal see *Opinion* 259 (pp. 253—264 of the present volume).

<sup>3</sup> For the decision taken on this proposal see *Opinion* 260 (pp. 265—280 of the present volume).

by Laurentius Theodorus Gronovius, who had died in 1777. It was drawn up for special persons only (*i.e.* prospective purchasers) and was intended for use for only a limited time (*i.e.* during the period immediately preceding and during the sale); it was not given to the world or used in the nature of a permanent scientific record. None of the tests laid down in *Opinion* 51 as the criteria for determining whether a zoological work has been published ('divulgué dans une publication') within the meaning of Article 25 of the *Règles Internationales* is, therefore, satisfied by Meuschen's *Museum Gronovianum*. Accordingly, no name which first appeared in 1778 in Meuschen's *Museum Gronovianum* possesses any rights under the Law of Priority as from the date of such appearance."

(4) render an *Opinion* as follows in regard to the name of the Sand Crab:—

"The name *Cancer arenarius* Edwards, 1771, in Catesby, *Natural History of Carolina*, is not available for the Sand Crab as from that date, (i) because, as has been decided in *Opinion* —,\* Catesby's pre-1758 names acquired no rights under the Law of Priority on being re-published by Edwards in 1771, and (ii) because, even if Catesby's names had been available as from 1771, the name *Cancer arenarius* Edwards, 1771, would have been a homonym of the name *Cancer arenarius* Toreen, 1765. The oldest available name for the Sand Crab is *Cancer quadratus* Fabricius, 1787, of which name *Ocypoda albicans* Bosc, [1801—1802], is a synonym."

## II.—THE SUBSEQUENT HISTORY OF THE CASE

2. The re-issue of *Opinion* 13, with accompanying Notes, was sent to the printer in May 1945. When these notes were in proof Mr. Hemming sent copies to Dr. Isobel Gordon (*British Museum (Natural History), London*) for observations. In her reply dated 15th May 1946 Dr. Gordon stated that she had nothing which she desired to add and that she was in agreement with the action proposed.

3. Owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, *Opinion* 13 was not actually published until 28th February 1947 (*Ops.*

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\* The *Opinion* here referred to is the projected *Opinion* which it is suggested in paragraph 9(2) should be issued for the purpose of re-stating and confirming the decision embodied in the first sentence of the "summary" of *Opinion* 13. [This *Opinion* has since been adopted as *Opinion* 259.]

*Decls. int. Comm. zool. Nomencl.* 1 : 207—234). Of the three Notes by Mr. Hemming quoted in paragraph 1 of the present *Opinion*, Note 5 appeared on pp. 216—217, Note 6 on pp. 218—219, and Note 8 on pp. 227—232.

4. *View expressed by Dr. Fenner A. Chace, Jr. (United States National Museum, Washington, D.C., U.S.A.)* : The publication of the present application in the Notes annexed to the re-issue of *Opinion* 13 elicited no opposition to the action proposed, but it brought to light a further problem, the existence of which had been unknown to Mr. Hemming when he prepared the present case for the consideration of the Commission. This problem was raised in a letter dated 27th February 1948 from Dr. Fenner A. Chace, Jr. (*Curator, Division of Marine Invertebrates, United States National Museum, Washington, D.C., U.S.A.*), who, after drawing attention to the fact that certain workers in the United States had already adopted the conclusion reached by Mr. Hemming that *Cancer quadratus* Fabricius, 1781, was the oldest available name for the Sand Crab, drew attention to the fact that Meuschen had not only used the name *Cancer quadrata* in 1778 in his *Museum Gronovianum* (a work which Dr. Fenner Chace agreed possessed no nomenclatorial standing), but, in addition had used the name *Cancer quadratus* in 1781 in the Index which he had prepared to the work by Gronovius published in the period 1763—1781 under the title *Zoophylacium Gronovianum*. Dr. Fenner Chace accordingly suggested that the status of Meuschen's Index to the *Zoophylacium* should be studied as part of the problem involved in the determination of the oldest available specific name for the Sand Crab, since if the foregoing work were found to be available for nomenclatorial purposes, the name *Cancer quadratus* Fabricius, 1781, would fall as an invalid junior homonym and the way would be cleared for the use, for the Sand Crab, of the name *Ocypoda albicans* Bosc, [1801—1802]. The text of Dr. Fenner Chace's letter has been quoted in full in *Opinion* 261, relating to the nomenclatorial status of Meuschen's Index to the *Zoophylacium* of Gronovius.<sup>4</sup>

5. The receipt of Dr. Fenner Chace's letter showed that, in addition to the questions raised by Mr. Hemming in the Notes attached to the re-issue of *Opinion* 13, it would be necessary to

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<sup>4</sup> See pp. 289—290 of the present volume.

take into account also the question of the availability of names as published in 1781 in Meuschen's Index to the *Zoophylacium*, before it reached a decision on the question of the name to be accepted as the oldest available name for the Sand Crab. Fortunately, a considerable amount of work had already been done in the Office of the Commission on Meuschen's Index, and it was immediately decided to complete the work on this subject as quickly as possible, so that it might be brought before the International Commission for decision at its then forthcoming meeting in Paris as a preliminary to the consideration of the oldest available name for the Sand Crab.

### III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

6. The first of the problems connected with the wording of the *Règles* to be considered by the International Commission on Zoological Nomenclature at its Session held in Paris in 1948 was that involved in the interpretation of Proviso (b) to Article 25. On this subject the Commission decided to approve and adopt the recommendations which were then submitted to it by the Secretary. The Commission accordingly agreed (1) to report to the Paris Congress that, in its opinion, the expression "nomenclature binaire" as used in the foregoing Proviso had the same meaning as the expression "nomenclature binominale", and (2) to recommend the substitution of the latter expression for the equivocal expression "nomenclature binaire" (Paris Session, 4th Meeting, Conclusion 3) (1950, *Bull. zool. Nomencl.* 4 : 63—66). The settlement of this long-outstanding problem was an indispensable preliminary for the taking of decisions as to the nomenclatorial status both of Meuschen's *Museum Gronovianum* of 1778 and of the Index prepared by the same author and published in 1781 for the work by Gronovius published in the period 1763—1781 under the title *Zoophylacium Gronovianum*, each of which, as has already been shown, had an important bearing upon the question of the oldest available name for the Sand Crab.



7. The question of the nomenclatorial status of Meuschen's Index to the *Zoophylacium* of Gronovius was dealt with by the International Commission as the twenty-ninth item at the Fourteenth Meeting of its Paris Session and the decision then reached has been embodied in its *Opinion* 261. The parallel question of the nomenclatorial availability of Meuschen's *Museum Gronovianum* was dealt with as the fifty-second item at the same meeting, and the decision reached has been embodied in the Commission's *Opinion* 260. Finally, the status of names published in 1771 in Edwards' edition of Catesby's pre-1757 work, *The Natural History of Carolina*, was dealt with by the Commission as the fifty-first item at the same meeting, and the conclusion reached has been embodied in *Opinion* 259. This last-named question had no direct bearing on the question of the oldest available name for the Sand Crab, but a decision on it was required as a preliminary to the cancellation of *Opinion* 13, a course which would be necessary as part of any decision on the question of the name to be used for the Sand Crab.

8. The question of the specific name to be used for the Sand Crab was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, summarising the introductory statement by the Acting President (Mr. Francis Hemming) and the discussion which then ensued (1950, *Bull. zool. Nomencl.* 4 : 575—578) :—

THE ACTING PRESIDENT (MR. FRANCIS HEMMING) said that he had received two communications in regard to this application : the first, from Dr. I Gordon (British Museum (Natural History), London, the second, from Dr. Fenner A. Chace, Jr. (United States National Museum, Washington, D.C.). Dr. Gordon had stated that she was in agreement both with the line of argument adopted in the application as set out in Notes 5 and 8 of the "Editorial Notes" attached to the re-issue of *Opinion* 13, and with the action there recommended to the Commission for approval. Dr. Fenner Chace, while reporting



that some zoologists in America were already giving effect in their work to the recommendations now before the Commission, had suggested that, before those proposals were approved, the Commission should consider also the question of the availability of names published by Meuschen in the index to the *Zoophylacium Gronovianum* of Gronovius which had been published in 1781, for that index contained the trivial name *quadratus* (in connection with the generic name *Cancer*). If, therefore, the Index of the *Zoophylacium* were held to be an available work for nomenclatorial purposes, the name *Cancer quadratus* Fabricius, 1787, for the Sand Crab would be a homonym of *Cancer quadratus* Meuschen, 1781, and in consequence the trivial name *quadratus* would not be available for the Sand Crab, unless it were found that it was to that species also that Meuschen had applied that name in 1781. In that case the name *quadratus* would still be the oldest available name for the Sand Crab, but would have to be attributed not to Fabricius, 1787, but to Meuschen, 1781. As he (the Acting President) had explained earlier during the present meeting, the question of the availability of the names published in the index to the *Zoophylacium* had been studied by himself before the war in connection with his review of the older literature relating to the Order Lepidoptera (Class Insecta). He had then formed the conclusion that the author of that index could not be regarded as a binominal author, though he was what was then called a "binary author"; in consequence this was not a matter on which a decision could be taken until the present Congress had decided what meaning was properly to be attached to the expression "nomenclature binaire" as used in Article 25 of the *Règles*. That matter having now been settled, he had accordingly (earlier during the present meeting) brought before the Commission the question of the availability of apparent new names in the index to the *Zoophylacium*, and the Commission, after examining the evidence, had decided that the above index was not available for nomenclatorial purposes and therefore that new names in it had no status under the *Règles* as from the date of being so published.

Continuing the Acting President said that, although it was clearly necessary to correct the errors contained in *Opinion* 13, he now felt that the question of the decision to be taken in regard to the trivial name of the Sand Crab in place of that recorded in

that *Opinion* should be governed, as in other cases of errors detected in earlier *Opinions*, by the principle of adopting whatever course would best promote stability and uniformity in the nomenclature of the group concerned. Where (as in the case of the name *Schistosoma* Weinland, 1858, erroneously placed on the *Official List* in *Opinion* 77), the name in question had passed into general use, the Commission had used its Plenary Powers to validate the erroneous decision made in the earlier *Opinion*, believing that it would be wrong to disturb existing practice for technical nomenclatorial reasons, particularly where (as in the case referred to) that practice owed its origin to an error made by the Commission itself<sup>5</sup>. On the other hand in another case (regarding the type species of the genus *Mabuya* Fitzinger, 1826, about which a mistake had been made in *Opinion* 92), specialists in the group concerned had realised that the decision given by the Commission was erroneous and had accordingly ignored that decision. In this case the Commission had considered it sufficient to correct the previous error<sup>6</sup>. In the present instance it was not so clear what was the best course to take. In the first place the Commission had not given in *Opinion* 13 an absolute ruling on the question of what was the oldest available trivial name for the Sand Crab ; all that it had done was to state that on the basis of the premises submitted (which it had not itself verified) the oldest available trivial name for that species was *albicans* Bosc [1801—1802] (as published in the binominal combination *Ocypoda albicans*). This form of decision had been adopted in this and other early *Opinions* not because the Commission wished to impugn the accuracy of the premises submitted to it but because at that time (which was several years prior to the establishment of the first of the *Official Lists*) it did not regard it as part of its functions to give an absolute ruling in such a case. Nevertheless, this form of decision inevitably detracted from the authority of the ruling given and might therefore influence workers in deciding what name to apply to the species in question (in this case, the Sand Crab). So far, however, as he had been able to ascertain, this species, as the result, presumably, of *Opinion* 13, was now generally known by the trivial name *albicans* Bosc. If this was in fact the general practice, the consistent course for the Commission to adopt would

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<sup>5</sup> See *Opinion* 226 (1954, *Ops. Decls. int. Comm. zool. Nomencl.* 4 : 177—200).

<sup>6</sup> See *Opinion* 240 (pp. 1—12 of the present volume).

be to use its Plenary Powers to validate the name *albicans* Bosc by suppressing the earlier available trivial name *quadratus* Fabricius, 1787 (as published in the binominal combination *Cancer quadratus*). The species in question was, he understood, confined to the Atlantic shores of the American Continent from Rhode Island to Santa Catharina in Brazil. It was therefore desirable that the Commission should be in possession of the views of American specialists before they decided what action to take in this matter. In the circumstances, he (the Acting President) suggested that the Commission should now agree that its Plenary Powers should be used to validate the trivial name *albicans* Bosc as the trivial name of the Sand Crab, if after the close of the present Session specialists indicated that they considered that confusion would arise if, consequent upon the discovery of the error in the premises on which *Opinion* 13 had been based, it were necessary to replace the trivial name *albicans* Bosc by the trivial name *quadratus* Fabricius as the trivial name of the Sand Crab. This would not involve any delay in the publication of the *Opinion* recording the decisions taken on the present application, for some time would necessarily elapse before it would be possible to publish all the *Opinions* recording the decisions taken during the present Session, and the *Opinions* relating to the present matter could readily be left as one of the last to be so published. It would, however, be reasonable to fix some time limit, for the reception of comments. He suggested a period of six months from the date of the publication of the Minutes recording the present decision. At the same time he would take steps to bring the matter to the attention of specialists in the group concerned, particularly workers on the American Continent.

IN THE SUBSEQUENT DISCUSSION, it was generally agreed that it was essential that the errors in *Opinion* 13 should be corrected. It was felt, however, that this question was quite independent of the question of whether or not the Plenary Powers should be used to validate the name *albicans* Bosc [1801—1802], as the trivial name of the Sand Crab. On this, the general view was that, as it was the Commission itself which was mainly responsible for the acceptance of the foregoing name as the trivial name of this species, through their action in adopting *Opinion* 13 thirty-eight

years earlier, it should certainly agree now that its Plenary Powers should be used if on enquiry it were to be found that specialists considered that confusion would ensue if it were necessary to adopt the name *quadratus* Fabricius as the trivial name of the Sand Crab.

9. The following extract from the Official Record of the Proceedings of the International Commission sets out the decision reached by it in the present case (Paris Session, 14th Meeting, Conclusion 53) (1950, *Bull. zool. Nomencl.* 4 : 573—580) :—

THE COMMISSION agreed :—

- (1) to cancel *Opinion* 13, relating to the trivial name of the Sand Crab (Class Crustacea, Order Decapoda), the decision set forth in that *Opinion* being incomplete, in part incorrect, and the whole entirely misleading ;
- (2) that, even if the names published in 1771 by Edwards (G.) in his edition of Mark Catesby's *Natural History of Carolina*, had been available under the *Règles* the trivial name *arenarius* as so published by Edwards in 1771 in the binominal combination *Cancer arenarius*, though the first such name given to the Sand Crab subsequent to the starting point of zoological nomenclature (1758), would have been invalid, since that name would in any case have been a homonym of the earlier trivial name *arenarius* Toreen, 1765 (as published in the binominal combination *Cancer arenarius*), a name bestowed by Toreen upon an entirely different species found at a place named Queda in the Straits of Malacca, an area far removed from that in which the Sand Crab occurred ; and that the trivial name *arenarius* as published by Edwards in 1771 should now be placed on the *Official Index* ;

- (3) that the first trivial name bestowed upon the Sand Crab after the name *arenarius* had been cited in connection therewith by Edwards in 1771 was the trivial name *quadratus* Fabricius, 1787 (as published in Vol. 1 of the *Mantissa Insectorum* in the binominal combination *Cancer quadratus*) ;
- (4) that the trivial name *quadratus* Fabricius, 1787, was an available name, not being invalidated by the prior use of the same trivial name in combination (or association) with the generic name *Cancer* (a) by Meuschen in 1781 in his index to the *Zoophylacium Gronovianum* of Gronovius, and (b) by Meuschen in 1778 in his own work, the *Museum Gronovianum*, both of which the Commission had ruled to have failed to comply with the requirements of the *Règles*, names published in these works, in consequence, possessing no status in zoological nomenclature ;
- (5) before deciding what action should be taken in regard to the trivial name of the Sand Crab, consequent upon the discovery of the error in regard thereto contained in the Commission's *Opinion* 13, to ascertain from interested specialists whether, in their opinion, confusion and instability would ensue, if it were now necessary to rectify the erroneous decision published as far back as 1910 in the *Opinion* referred to above, and if, in consequence, it were now necessary to use the trivial name *quadratus* Fabricius for the foregoing species ; and for this purpose to request the Secretary to the Commission to seek the views on this question held by interested specialists by the publication of a notice in the *Bulletin of Zoological Nomenclature* or otherwise ;
- (6) that, on the expiry of a period of six months from the date of publication of the present decision in the *Bulletin of Zoological Nomenclature*, the following action should be taken in the light of the comments received from specialists in response to the consultation referred to in (5) above :—
  - (a) if specialists were of the opinion that confusion and instability would result from the adoption of the



*trivial name quadratus Fabricius for the Sand Crab* : to use the Commission's Plenary Powers (i) to suppress the trivial name *quadratus Fabricius*, 1787 (as published in the binominal combination *Cancer quadratus*) and to validate the trivial name *albicans* Bosc [1801—1802] (as published in the binominal combination *Ocypoda albicans*), at the same time placing the first of these trivial names on the *Official Index of Invalid and Rejected Specific Trivial Names in Zoology* and the second on the *Official List of Specific Trivial Names in Zoology* ;

(b) *if specialists were of the opinion that confusion and instability would not result from the adoption of the trivial name quadratus Fabricius for the Sand Crab* : to place the trivial name *quadratus Fabricius*, 1787 (as published in the binominal combination *Cancer quadratus*) on the *Official List of Specific Trivial Names in Zoology* ;

(7) on a decision being taken either in the sense indicated in (6) (a) above or in that indicated in (6) (b) above, to render an *Opinion* recording the decisions specified in (1) to (4) above, and setting out, as the case may be, either the decision specified in (6) (a) above or that specified in (6) (b) above.

10. The decision taken in this case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on Monday, 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 120).

11. The decision quoted in paragraph 9 above was concurred in by the sixteen (16) Commissioners and Alternate Commissioners



present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

12. The decision referred to above was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

13. The Part (Triple-Part 19/21) of volume 4 of the *Bulletin of Zoological Nomenclature* containing the Official Record of the decision reached in the present case was published on 9th June 1950, from which date therefore the six-month period referred to in Sub-Conclusion 6 quoted in paragraph 9 above began to run. At the close of that period no representations had been received as to the possibility of confusion arising if the specific name of the Sand Crab were to be changed from *albicans* Bosc, [1801—1802] to the older name *quadratus* Fabricius, 1787. In view, however, of the fact that in 1948 Dr. Fenner Chace had expressed doubts as to the desirability of making this change (paragraph 4 above), Mr. Hemming, as Secretary to the Commission, wrote to Dr. Chace on 9th December 1950, asking him to furnish a statement of his views on this question and, if possible, an indication of the views of other American carcinologists. On 18th January 1951 Dr. Chace replied that it was unlikely that he would submit any recommendations on this matter. Somewhat later, however (on 21st March 1951), Dr. Fenner Chace wrote : " If it is the considered opinion of the Commission that the Meuschen index to the ' Zoophylacium Gronovianum ' is not available and that the name *quadratus* Fabricius then becomes the earliest available name for the Sand Crab, I favor the acceptance of that name ".

14. On 17th April 1951 an attempt to obtain further views on this question from interested specialists was made by the issue to the serial publications *Nature* and *Science* (the two publications currently nominated as those to which notices regarding the possible use of the Commission's Plenary Powers should be despatched) of a notice drawing attention to a note by the Secretary to the Commission regarding the options embodied in the decision taken in Paris and soliciting the views thereon of interested specialists, which was then on the point of being published in the *Bulletin of Zoological Nomenclature*. This note by Mr. Hemming, which was published three days later, was as follows (Hemming, 20th April 1951, *Bull. zool. Nomencl.* 2 : 105) :—

Request for views of specialists on the question whether the substitution, as required by the "Règles", of the name "quadratus" Fabricius, 1787, for the name "albicans" Bosc [1801—1802], as the trivial name of the Sand Crab (Class Crustacea, Order Decapoda) would give rise to confusion or instability

By FRANCIS HEMMING, C.M.G., C.B.E.  
(Secretary to the International Commission on Zoological Nomenclature)

At its Session held in Paris in 1948, the International Commission on Zoological Nomenclature, after reviewing the information available, decided to cancel its earlier *Opinion* 13 as being "incomplete and, in part, incorrect". At the same time the Commission agreed upon the adoption of *Opinions* on all the issues raised in *Opinion* 13, except that regarding the trivial name to be used for the Sand Crab, which, as explained below, was reserved for further consideration.

2. On this question the Commission gave a ruling that, under the *Règles*, the correct trivial name for this species was *quadratus* Fabricius, 1787 (as published in the binominal combination *Cancer quadratus*) and not the name *albicans* Bosc [1801—1802], (as published in the binominal combination *Ocypoda albicans*), as had incorrectly been stated in *Opinion* 13. The Commission decided, however, before finally rendering an *Opinion* in this sense, to ascertain from interested specialists whether the substitution of the name *quadratus* Fabricius for the name *albicans* Bosc as the trivial name of the Sand Crab would

be likely to give rise to "confusion and instability". The Commission placed on record that, if specialists were to consider that the adoption for this species of the trivial name *quadratus* Fabricius would lead to these results, it would forthwith use its Plenary Powers for the purpose of suppressing the foregoing name, thus validating the name *albicans* Bosc.

3. A full account of the considerations which lead up to the foregoing decisions is given in the *Official Record of Proceedings* of the International Commission at its Paris Session, 14th Meeting, Conclusion 53 (see 1950, *Bull. zool. Nomencl.* 4 : 573—580).

4. In accordance with the procedure described above, specialists in this group are particularly requested to send to the International Commission as soon as possible, statements describing current nomenclatorial practice in this matter and setting out their views on the question of the possible use of the Plenary Powers in this case. Such statements should be addressed to the Secretary to the International Commission on Zoological Nomenclature at the Secretariat of the Commission (28 Park Village East, Regent's Park, London, N.W.1, England).

15. On 24th February 1952 the progress reached in dealing with the present case was reviewed by Mr. Hemming, as Secretary to the International Commission, who then placed the following Minute on the Commission's File Z.N.(S.) 271 :—

**Option given to specialists in the decision taken by the International Commission in Paris in 1948 in the case of the specific trivial name of the Sand Crab**

By FRANCIS HEMMING

(Secretary to the International Commission on Zoological Nomenclature)

A period of about ten months has now elapsed since the publication (on 20th April 1951) in the *Bulletin of Zoological Nomenclature* (vol.

2 : 105) of my notice regarding the option contained in the decision taken by the International Commission in Paris in 1948 in the case of the specific trivial name of the Sand Crab, and during this period no specialist has submitted to the International Commission a request for the use of its Plenary Powers for the purpose of setting aside the Law of Priority in the case of the specific trivial name of the foregoing species by suppressing the name *quadratus* Fabricius, 1787, as published in the combination *Cancer quadratus*, in favour of the name *albicans* Bosc [1801—1802], as published in the combination *Ocypoda albicans*.

2. A period of over twenty months has now elapsed since the publication (on 9th June 1950) of the decision taken by the International Commission in Paris in 1948, and in view of this fact and of the non-receipt during the whole of that period of any request for action under the Plenary Powers, although the time-limit set by the Commission for the submission of such applications was a period of six months calculated from the publication of the Paris decision, it would be possible now to make a formal declaration that the option given in the Paris decision has expired and that the conditional decision set out in Sub-Conclusion (6) (b) in the group of decisions which together constitute the Fifty-Third Conclusion of the Fourteenth Meeting of the Paris Session of the International Commission has now come into full operation.

3. In view, however, of the fact that the pressure of work connected with the preparations for the Session of the Commission to be held at Copenhagen in 1953 makes it impossible at present, and is likely to make it impossible for some time, to render a formal *Opinion* in the present case, I propose to include one further notice in regard to this case in the collection of notices in regard to individual cases left over at Paris for further consideration shortly to be published in the concluding Double-Part (Double-Part 7/8) of volume 7 of the *Bulletin of Zoological Nomenclature*. This notice has been sent to the printer today.

16. The note by Mr. Hemming referred to in the concluding paragraph of his Minute of 24th February 1952 was published on 15th April 1952 (Hemming, 1952, *Bull. zool. Nomencl.* 7 : 209—210), and at the same time a further notice on this subject was

sent to the serial publications *Nature* and *Science*. The note so published in the *Bulletin* was as follows :—

**Case 17 : Question of the trivial name to be accepted as the trivial name of the Sand Crab (Class Crustacea, Order Decapoda)**

(See 1950, *Bull. zool. Nomencl.* 4 : 573—580)

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39. In Paris in 1948 the International Commission on Zoological Nomenclature reviewed the subjects dealt with in its *Opinion* 13 (1910, *Smithson. Publ.* 1938 : 22—24), an *Opinion* in which (in accordance with the practice of that day) no definite decision was given, the decision reached being expressly recorded as being given “under the premises submitted”. In the light of the information before it at the time of this review the International Commission cancelled *Opinion* 13 and, so far as concerns the portion of that *Opinion* which related to the question of the trivial name of the Sand Crab, ruled (1) that the trivial name *quadratus* Fabricius, 1787 (as published in the binominal combination *Cancer quadratus*), a name given to the Sand Crab, was an available name, (2) that, before it decided whether or not to correct the error in regard to this matter contained in *Opinion* 13, i.e., before deciding whether to render an *Opinion* ruling that the name *quadratus* Fabricius, 1787, was the oldest available such name and was therefore to be used in preference to the name *albicans* Bosc [1801—1802], (as published in the binominal combination *Ocypoda albicans*) (the name incorrectly stated in *Opinion* 13 to be the oldest trivial name for the Sand Crab), interested specialists should be consulted on the question whether instability and confusion would be likely to ensue if the decision taken in 1910 in the foregoing *Opinion* were now to be reversed by the adoption of the name *quadratus* Fabricius, 1787, as the name for the Sand Crab. The Commission further decided that, if specialists were of the opinion that the foregoing results would accrue, the Plenary Powers should be used to suppress the trivial name *quadratus* Fabricius and to validate the trivial name *albicans* Bosc, but that, if specialists were of the opinion that the foregoing adverse results were not to be expected, the trivial name *quadratus* Fabricius, 1787, should be placed on the *Official List of Specific Trivial Names in Zoology*.

40. The views of interested carcinologists are particularly requested as to the relative advantages of the two courses set out above, in order that, this aspect of the question having been settled, an *Opinion* may be rendered in accordance with the decision taken by the International Commission at its Paris Session.

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17. The question as to which of the alternative decisions taken by the International Commission in regard to the name to be accepted as the specific name of the Sand Crab should become the substantive decision by the Commission in this matter was brought to a conclusion on 16th October 1952, when Mr. Hemming, as Secretary to the International Commission, signed the following Minute of Determination :—

**Decision by the International Commission on Zoological Nomenclature  
as to the Specific Trivial Name to be used for the species of the  
Order Decapoda (Class Crustacea) commonly known as  
the Sand Crab**

MINUTE dated 16th October 1952 by FRANCIS HEMMING  
(*Secretary to the International Commission on Zoological Nomenclature*)

At the Fourteenth of its meetings held in Paris in 1948, the International Commission on Zoological Nomenclature, after reaching the conclusion that, contrary to the statement contained in *Opinion* 13 published in 1910, the oldest available specific trivial name for the Sand Crab was *quadratus* Fabricius, 1787, as published in the combination *Cancer quadratus*, decided to provide an opportunity for any zoologist who might so desire, to submit an application for the use, in the interests of nomenclatorial stability, of the Commission's Plenary Powers, for the purpose of suppressing the foregoing trivial name, thus rendering the trivial name *albicans* Bosc [1801—1802], as published in the combination *Ocypoda albicans*, the oldest available name for the Sand Crab, as it was erroneously stated so to be in *Opinion* 13. For this purpose the Commission (a) instructed me to seek out the views of interested specialists on the foregoing subject, and (b) set, as the time limit for the receipt of applications in the foregoing sense, a period of six months calculated from the date of the publication in the *Bulletin of Zoological Nomenclature* of the portion of the Official Record of the Proceedings of the International Commission at its Paris (1948) Session containing the decision referred to above (Paris Session, 14th Meeting, Conclusion 53).

2. The portion of the Official Record of the Proceedings of the International Commission in Paris referred to above was published on 9th June 1950, and in consequence the six-month period prescribed by the International Commission expired on 9th December 1950. No comments on the present case were received during that period, and, in an effort to obtain expressions of opinion on this case, two notes



on it have since been published in the *Bulletin*, the first, in volume 2 on 20th April 1951 and the second, in volume 7, on 15th April 1952, the time limit having been extended to permit of the receipt of communications in response to the appeals so made. In addition, attempts have been made to elicit the views of carcinologists, both by correspondence and by the issue of notices to the serial publications *Nature* and *Science*. These efforts have proved entirely fruitless, and it is evident that there is no desire—or no articulate desire—among carcinologists to conserve the trivial name *albicans* Bosc, [1801—1802], at the expense of the older name *quadratus* Fabricius, 1787, as the specific trivial name of the Sand Crab.

3. Having regard to the fact that no application has been received for the conservation under the Plenary Powers of the trivial name *albicans* Bosc for the Sand Crab, notwithstanding the fact that, to permit of the submission of such applications, if such were desired, the time limit of six months set by the Commission in Paris has been extended on several occasions until a period of over twenty-eight months has been allowed for this purpose, I now, as Secretary to the International Commission on Zoological Nomenclature, declare as follows : (1) The option set out in Points (a) and (b) of Sub-Conclusion (6) of the group of such Sub-Conclusions which, taken together, constitute the Fifty-Third Conclusion reached by the International Commission at the Fourteenth Meeting of its Session held in Paris in 1948, which provides for the use, on the application of interested specialists, of the Plenary Powers for the purpose of suppressing the trivial name *quadratus* Fabricius, 1787, as published in the combination *Cancer quadratus*, thus rendering the trivial name *albicans* Bosc, [1801—1802], as published in the combination *Ocypoda albicans*, has expired, no application in the foregoing sense having been received by the International Commission, notwithstanding the fact that the time limit for the receipt of any application in this sense has been extended from time to time, until now, instead of six months, the period prescribed in Paris, a period of over twenty-eight months has been provided for this purpose. (2) In the light of (1) above, the decision set out conditionally in the Sub-Conclusion numbered (6) (b) referred to in (1) above has now entered formally into force, and, in consequence, the following decisions have been taken by the International Commission, namely : (a) that the trivial name *quadratus* Fabricius, 1787, as published in the combination *Cancer quadratus*, is to be accepted as the oldest available trivial name of the Sand Crab ; (b) the foregoing trivial name is now to be placed on the *Official List of Specific Trivial Names in Zoology* ; (c) the following trivial names published in works which were rejected for nomenclatorial purposes by the Commission at its Session held in Paris in 1948 are now to be placed on the *Official Index of Specific Trivial Names in Zoology* :—(i) *arenarius* Catesby in Edwards, 1771, as published in the combination *Cancer arenarius* ; (ii) *quadratus* Meuschen, 1778, as published in the combination *Cancer quadratus* (published in the *Museum gronovianum*) ; (iii) *quadratus* Meuschen,

1781, as published in the same combination (published in the Index to Gronovius' *Zoophylacium gronovianum*).

18. The following are the original references for the names placed on the *Official Lists* and *Official Indexes* in the Ruling given in the present *Opinion* :—

*arenarius*, *Cancer*, Catesby, 1771, *Natural History of Carolina* (Edwards' ed.) 2 : pl. 35 ; Linn. Index, no. 35

*quadratus*, *Cancer*, Meuschen, 1778, *Mus. gronov.* : 84

*quadratus*, *Cancer*, Meuschen, 1781, Index to Gronovius' *Zoophylac. gronov.*

*quadratus*, *Cancer*, Fabricius, 1787, *Mantissa Ins.* 1 : 315

19. At the time of the adoption of the Ruling given in the present *Opinion*, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name" and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word "trivial" appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

20. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

21. The present *Opinion* shall be known as *Opinion Two Hundred and Sixty-Two (262)* of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-Fourth of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission  
on Zoological Nomenclature*

**FRANCIS HEMMING**

